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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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RAY JAMES MCALLISTER,

Plaintiff,

*versus*

BUREAU OF PRISONS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:07-CV-407

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Ray James McAllister, an inmate confined at the Federal Correctional Complex, proceeding *pro se*, brought this complaint against the Bureau of Prisons, T.C. Outlaw, and six unknown officials.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends that plaintiff's motion to dismiss should be granted. Additionally, the Magistrate Judge recommends that the action be dismissed without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. It is therefore

**ORDERED** that plaintiff's motion to dismiss is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 6th day of December, 2007.

A handwritten signature in cursive script, reading "Marcia A. Crone".

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE